UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

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SALEENA HART ESGUERRA,

Defendant.

Case No.: 2:21-mj-00907-VCF

FINDINGS AND ORDER

Based on the pending Stipulation between the defense and the government, and good cause appearing therefore, the Court hereby finds that:

- 1. The parties desire to continue the preliminary hearing to facilitate preindictment resolution. Defendant Saleena Hart Esguerra has applied for admission into the
 Interagency Agreement for the Recovery, Inspiration, Support & Excellence (RISE)
 Program, and will need additional time prior to a preliminary hearing or indictment to
 allow the RISE Program to evaluate her application. The Court finds good cause to
 continue the hearing to allow the parties to reach a pre-indictment resolution.
- 2. Both counsel for defendant and counsel for the government agree to the continuance.
 - 3. Defendant Esguerra is not in custody and agrees to the continuance.
- 4. The continuance is not sought for the purposes of delay, but to allow defense counsel an opportunity to examine the merits of this case before a potential resolution can be reached between the parties.

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- 5. Denial of this request could result in a miscarriage of justice, and the ends of justice served by granting this request outweigh the best interest of the public and the defendant in a speedy trial.
- 6. The additional time requested by this stipulation is excludable in computing the time within which indictment must be filed pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(b), and considering the factors under 18 U.S.C. § 3161(h)(7)(A) and (B)(i) and (iv).

THEREFORE, IT IS HEREBY ORDERED that the preliminary hearing in the above-captioned matter for defendant Saleena Hart Esguerra, previously scheduled for November 23, 2021 at 4:00 p.m., be vacated and continued to February 23, 2022 at 4:00 p.m. in LV Courtroom 3D before Magistrate Judge Cam Ferenbach.

DATED this 12th day of November, 2021.

HONODARI E CAM FEDENBACH

HONORABLE CAM FERENBACH UNITED STATES MAGISTRATE JUDGE